

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C. 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 13 September 2000 (13.09.00)	
International application No. PCT/US00/01389	Applicant's or agent's file reference CM1993M/MH
International filing date (day/month/year) 20 January 2000 (20.01.00)	Priority date (day/month/year) 23 January 1999 (23.01.99)
Applicant WHITAKER, Joanne, Louise et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

04 August 2000 (04.08.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Henrik Nyberg
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PCT

REC'D 20 FEB 2001

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference CM1993M/MH	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/01389	International filing date (day/month/year) 20/01/2000	Priority date (day/month/year) 23/01/1999
International Patent Classification (IPC) or national classification and IPC C11D17/00		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 04/08/2000	Date of completion of this report 14.02.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Hillebrecht, D Telephone No. +49 89 2399 8168 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/01389

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-70 as originally filed

Claims, No.:

1-15 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c));

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/01389

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	4,10,11,13-15
	No:	Claims	1-3,5-9,12
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-15
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations **see separate sheet**

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/01389

Reference is made to the following documents:

- D1: EP-A-0 799 886 (CLEANTABS AS) 8 October 1997
- D2: WO 99 53014 A (UNILEVER) 21 October 1999
- D3: WO 99 09959 (SMITHKLINE BEECHAM) 4 MARCH 1999

- V. The subject-matter of claim 1 does not comply with the requirements of Article 33(1) and (2) PCT.
1. Claim 1 defines a detergent tablet comprising a polymeric disintegrant having a particle size of less than 0.3 mm and a water-soluble hydrated salt. Claim 4 claims similar tablets comprising additionally an effervescent agent without specifying the particle size of the polymeric disintegrant.
 2. D1 discloses detergent tablets comprising Avicel PH 200, which is a polymeric disintegrant having a mean particle size of about 190 μ m. See D3, page 4, lines 29 to 30. Moreover, the compositions disclosed in D1 comprise trisodium citrate dihydrate, which is a salt meeting the solubility requirement of claim 1. (D1, samples CL 1 to CL 11 on pages 10 to 12)-
 3. The subject-matter of claims 1 and 4 does not comply with the requirements of Article 33 (1) and (3) PCT.
 4. The present application is directed to the problem of providing detergent tablet showing simultaneously improved strength and excellent dissolution characteristics. The problem is solved by tablets comprising polymeric disintegrants having a specific particle size and a water-soluble hydrated salt or by tablets comprising a polymeric disintegrant, a water-soluble hydrated salt and a effervescent agent. However, it is submitted that tablets comprising only these components are not yet detergent tablets, since they lack deterative components. D1 teaches that easily soluble tablets having a good storage stability comprise surfactants, trisodium citrate dihydrate, sodium and/or potassium carbonate and in a preferred embodiment also a disintegrating agent and a effervescent agent (D1, claims 1 to 3, examples, page 8, lines 2 to 5). By the way, almost all of those components have been used in the samples of the instant application. Applicants

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/01389

could not show any surprising effect e.g. by selecting specific polymeric disintegrants having a particular particle size or comprising alternative water-soluble hydrated salts.

5. The subject-matter of the dependent claims is either already known from D1 or at least obvious to those skilled in the art.

VI. Certain published documents (Rule 70.10)

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO99/53014	21.10.1999	26.03.1999	15.04.1998

D2 may become relevant in the regional/national phase of the procedure in view of the tablets described in D2, examples 3 and 5.

VIII. The claims lack clarity, in contrast to Article 6 PCT for the reasons set forth below:

1. Claims 1 and 4 require a polymeric disintegrant. However, claim 5 includes swellable clays, which cannot be regarded as polymers.
2. Claim 5 refers to disintegrant I. However, such a disintegrant was not mentioned before.
3. The term "about" used in claims 1-4, 8-12, 14, and 15 is vague and unclear and leaves the reader in doubt as to the meaning of the technical features to which it refers, thereby rendering the definition of the subject-matter of said claims unclear (Article 6 PCT).

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CM1993M/MH	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 01389	International filing date (day/month/year) 20/01/2000	(Earliest) Priority Date (day/month/year) 23/01/1999
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/01389

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D17/00 C11D3/22 C11D3/37 C11D3/20 C11D3/12

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X A	EP 0 799 886 A (CLEANTABS AS) 8 October 1997 (1997-10-08) page 5, line 28 -page 6, line 37 page 7, line 56 -page 8, line 5 example 1 ---	1,4-7,12 10
P,X A	WO 99 53014 A (UNILEVER) 21 October 1999 (1999-10-21) page 3, paragraph 4 -page 7, paragraph 1 examples 3,5 ---	1-3,6-9 10,11
A	WO 98 45400 A (BENCKISER) 15 October 1998 (1998-10-15) example --- -/--	1-7, 10-12

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

14 June 2000

Date of mailing of the international search report

26/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Bertran Nadal, J

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/01389

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, A	EP 0 922 756 A (PROCTER & GAMBLE) 16 June 1999 (1999-06-16) page 3, line 15-40 page 4, line 32-38 examples 1,2 -----	1, 4-7, 10, 12, 13

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

US 00/01389

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
EP 0799886	A	08-10-1997	DK	39996 A	04-10-1997
WO 9953014	A	21-10-1999	AU	3602799 A	01-11-1999
WO 9845400	A	15-10-1998	DE	19714657 C	07-01-1999
			EP	0973861 A	26-01-2000
EP 0922756	A	16-06-1999	GB	2331994 A	09-06-1999
			WO	9924547 A	20-05-1999